

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Allan et al.**

Serial No.: **09/583,958**

Filed: **May 31, 2000**

For: **Method and System for Dynamic
Update of an Application Monitoring
Agent Using a Non-Polling Mechanism**

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Group Art Unit.: **2154**

Examiner: **Nguyen, Dustin**

Attorney Docket No.: **AUS920000254US1**

**Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

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PATENT TRADEMARK
OFFICE CUSTOMER

RENEWED PETITION UNDER 37 CFR 1.137(b)

A Decision on Petition dismissing a Petition to Revive for the above-application (copy attached) was received by Applicant stating that the petition is DISMISSED because the “petitioner failed to timely reply as required by MPEP 711.03 (c) (II) (A) (2) (b) to the final office action”.

Enclosed is a copy of the Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) and a copy of the Appeal Brief as-filed on October 24, 2006. The decision stated that filing an appeal brief was not the appropriate action to take in response to a final office action. In this request of reconsideration, a notice of appeal also is included, in addition to the original petition and the appeal brief, as the appropriate response to the final office action along with the required fee. Applicants respectfully request reconsideration of the Petition for Revival of an Application for Patent Abandoned Unintentionally and for prosecution to be re-opened with the filing of the notice of appeal and the appeal brief.

A fee of \$500.00 is required for filing Notice of Appeal. This fee is being charged to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

/Duke W. Yee/

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